

A1 the requirements of 37 C.F.R. §§1.801-1.809, including providing an indication of the viability of the sample. Applicants impose no restrictions on the availability of the deposited material from the ATCC; however, Applicants have no authority to waive any restrictions imposed by law on the transfer of biological material or its transportation in commerce. Applicants do not waive any infringement of its rights granted under this patent or under the Plant Variety Protection Act (7 USC 2321 et seq.).

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IN THE CLAIMS

Please cancel claims 1-27 without prejudice and insert new claims 28-49.

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- 28) (New) Seed of diploid watermelon line NO1F3203B having been deposited under ATCC Accession No: PTA-4856.
  - 29) (New) A diploid watermelon plant of line NO1F3203B, seed of said line having been deposited under ATCC Accession No: PTA-4856.
  - 30) (New) Pollen of the plant of claim 29.
  - 31) (New) An ovule of the plant of claim 29.
  - 32) (New) Fruit of the plant of claim 29.
  - 33) (New) A diploid watermelon plant according to claim 29 comprising, at maturity, leaves having a surface area in the range of 25-40 cm<sup>2</sup>, said plant bearing brittle fruit.
  - 34) (New) A diploid watermelon plant according to claim 33 further comprising said plant having heavily branching vines and deep, non overlapping leaf lobes.
  - 35) (New) The watermelon plant according to claim 29, wherein said fruit weighs in the range of 2 to 7 lbs.
  - 36) (New) The watermelon plant according to claim 29, wherein said fruit breaks under a pressure in the range of 7-11 lbs/in<sup>2</sup>.
  - 37) (New) A method for producing triploid, seedless watermelon fruit comprising the steps of:
    - a) planting a field with rows of evenly spaced triploid watermelon plants;
    - b) inter-planting diploid pollenizer watermelon plant according to claim 29 within said rows of evenly spaced triploid watermelon plants after every 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup>, 6<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup>, 9<sup>th</sup>, or 10<sup>th</sup> triploid plants;
    - c) harvesting said triploid, seedless watermelon fruit.

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cont.
- 38) (New) A method for producing triploid, seedless watermelon fruit comprising the steps of:
- a) planting a field with rows of triploid watermelon plants;
  - b) planting said field with rows of diploid watermelon plants according to claim 29, wherein the rows of diploid watermelon plants are approximately one-third to one-half the width of the triploid rows.
- 39) (New) A method for producing triploid, seedless watermelon fruit according to claim 38, wherein the row of diploid watermelon plants are approximately one-half to two-thirds the width of the triploid rows.
- 40) (New) A method for producing triploid, seedless watermelon fruit according to claim 38, further comprising the step of planting said rows of diploid watermelon plants after every two triploid rows.
- 41) (New) A method for producing triploid, seedless watermelon fruit according to claim 38, further comprising the step of planting said rows of diploid watermelon plants after every three triploid rows.
- 42) (New) A method for producing triploid, seedless watermelon fruit according to claim 38, further comprising the step of planting said rows of diploid watermelon plants after every four triploid rows.
- 43) (New) A method of increasing the yield of triploid, seedless watermelon plants comprising the steps of:
- a) obtaining a pollenizer watermelon plant according to claim 29 for pollenizing said triploid, seedless watermelon plants;
  - b) planting said pollenizer watermelon plant in a field of triploid watermelon plants; and
  - c) harvesting said triploid watermelon.
- 44) (New) A method of increasing the yield of seedless watermelon plants according to claim 43, wherein planting of said pollenizer watermelon plant is at a ratio of approximately equal to or less than 1 pollenizer watermelon plant to 2 triploid, seedless watermelon plants.
- 45) (New) A method of increasing the yield of seedless watermelon plants according to claim 43 wherein planting of said pollenizer watermelon plant is at a ratio of approximately equal to or less than 1 pollenizer watermelon plant to 4 triploid, seedless watermelon plants.
- 46) (New) A method for producing seeds of a watermelon plant comprising:
- a) growing in a field a watermelon plant according to claim 29;
  - b) conducting pollination of said plant;
  - c) harvesting seed of said plant.